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 United States of America
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15 UNITED STATES DISTRICT COURT

16 FOR THE CENTRAL DISTRICT OF CALIFORNIA

17 UNITED STATES OF AMERICA,

18 Plaintiff,

19 v.

20 DAVID ALMOG

21 Defendant.

Case No. CR 11-

CR 11 00930
GOVERNMENT'S NOTICE OF REQUEST
FOR DETENTION OF DEFENDANT
DAVID ALMOG

[UNDER SEAL]

23 Plaintiff, United States of America, by and through its counsel
 24 of record, hereby requests detention of defendant DAVID ALMOG and
 25 gives notice of the following material factors:
 26

27 1. Temporary 10-day Detention Requested (§ 3142(d))

28 on the following grounds:

1 _____ a. offense committed while defendant was on release
2 pending (felony trial), (sentencing) (appeal) or
3 on (probation) (parole);

4 _____ b. alien not lawfully admitted for permanent
5 residence;

6 _____ c. flight risk;

7 _____ d. danger to community.

8 _____ 2. Pretrial Detention Requested (§ 3142(e)) because no
9 condition or combination of conditions will
10 reasonably assure against:

11 _____ a. danger to any other person or the community;

12 X b. flight.

13 _____ 3. Detention Requested Pending Supervised
14 Release/Probation Revocation Hearing (Rules
15 32.1(a)(6), 46(d), and 18 U.S.C. § 3143(a)):

16 _____ a. Defendant cannot establish by clear and
17 convincing evidence that he/she will not pose a
18 danger to any other person or to the community;

19 _____ b. Defendant cannot establish by clear and
20 convincing evidence that he/she will not flee.

21 _____ 4. Presumptions Applicable to Pretrial Detention (18
22 U.S.C. § 3142(e)):

23 _____ a. Title 21 or Maritime Drug Law Enforcement Act
24 ("MDLEA") (46 U.S.C. App. 1901 et seq.) offense
25 with 10-year or greater maximum penalty
26 (presumption of danger to community and flight
27 risk);
28

1 _____ b. offense under 18 U.S.C. § 924(c) (firearm
2 used/carried/possessed during/in relation to/in
3 furtherance of crime), § 956(a), or § 2332b
4 (presumption of danger to community and flight
5 risk);

6 _____ c. offense involving a minor victim under 18 U.S.C.
7 §§ 1201, 1591, 2241, 2242, 2244(a)(1), 2245,
8 2251, 2251A, 2252(a)(1)-(a)(3), 2252A(a)(1)-
9 2252A(a)(4), 2260, 2421, 2422, 2423 or 2425
10 (presumption of danger to community and flight
11 risk);

12 _____ d. defendant currently charged with (I) crime of
13 violence, (II) offense with maximum sentence of
14 life imprisonment or death, (III) Title 21 or
15 MDLEA offense with 10-year or greater maximum
16 sentence, or (IV) any felony if defendant
17 previously convicted of two or more offenses
18 described in I, II, or III, or two or more state
19 or local offenses that would qualify under I, II,
20 or III if federal jurisdiction were present, or a
21 combination of such offenses, AND defendant was
22 previously convicted of a crime listed in I, II,
23 or III committed while on release pending trial,
24 AND the current offense was committed within five
25 years of conviction or release from prison on the
26 above-described previous conviction (presumption
27 of danger to community).

5. Government Is Entitled to Detention Hearing

Under § 3142(f) If the Case Involves:

- ☐ a. a crime of violence (as defined in 18 U.S.C. § 3156(a)(4)) or Federal crime of terrorism (as defined in 18 U.S.C. § 2332b(g)(5)(B)) for which maximum sentence is 10 years' imprisonment or more;
- ☐ b. an offense for which maximum sentence is life imprisonment or death;
- ☐ c. Title 21 or MDLEA offense for which maximum sentence is 10 years' imprisonment or more;
- ☐ d. instant offense is a felony and defendant has two or more convictions for a crime set forth in a-c above or for an offense under state or local law that would qualify under a, b, or c if federal jurisdiction were present, or a combination or such offenses;
- ☐ e. any felony not otherwise a crime of violence that involves a minor victim or the possession or use of a firearm or destructive device (as defined in 18 U.S.C. § 921), or any other dangerous weapon, or involves a failure to register under 18 U.S.C. § 2250;
- ☒ f. serious risk defendant will flee;
- ☒ g. serious risk defendant will (obstruct or attempt to obstruct justice) or (threaten, injure, or

intimidate prospective witness or juror, or
attempt to do so).

6. Government requests continuance of _____ days for
detention hearing under § 3142(f) and based upon the
following reason(s):

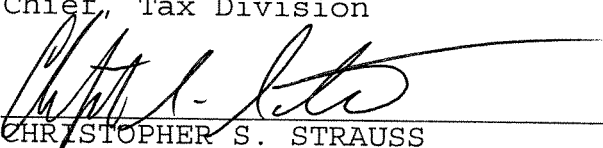
7. Good cause for continuance in excess of three days
exists in that:

DATED: September 29, 2011

Respectfully submitted,

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